

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTHONY RUGGIERO,

Plaintiff,

-against-

STEPHANIE E. JONES, Correction Officer,
Fishkill C.F., *et al.*,

Defendants.

ORDER

23-CV-07157 (PMH)

PHILIP M. HALPERN, United States District Judge:

A telephonic pre-motion conference was held on March 13, 2024 regarding the State Defendants' anticipated motion to dismiss. Counsel for the State Defendants appeared. Plaintiff Anthony Ruggiero, Defendant Dario Torres, and Defendant Eric Johnson appeared *pro se*. At the conference, the Court granted Plaintiff leave to amend the Complaint and directed Plaintiff to file a copy of the First Amended Complaint on the docket. Also, the Court extended Plaintiff's time to serve Timothy McKenny, Zaire Birks, and Correction Officer Jerome Holloway by ninety (90) days. Finally, the Court denied Plaintiff's request for leave to move for summary judgment against Defendant Torres without prejudice to renewal at the appropriate time.

As discussed at the conference, the Court granted the State Defendants' request for leave to move to dismiss Plaintiff's First Amended Complaint. The State Defendants shall serve and file their notice of motion and opening brief by April 17, 2024; Plaintiff shall file his opposition brief by May 15, 2024; the State Defendants shall serve and file their reply brief by May 29, 2024.

The Clerk is respectfully requested to mail a copy of this Order to Plaintiff and Defendant Torres.

SO-ORDERED:

Dated: White Plains, New York
March 13, 2024



Hon. Philip M. Halpern
United States District Judge